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1           **SECTION 72.** 77.54 (7) (b) (intro.) of the statutes is amended to read:

2           77.54 (7) (b) (intro.) If the item transferred is a motor vehicle, snowmobile,  
3           mobile home not exceeding 45 feet in length recreational vehicle, trailer, semitrailer,  
4           all-terrain vehicle or aircraft and the item is registered or titled, or required to be  
5           registered or titled, in this state or if the item is a boat that is registered or titled, or  
6           required to be registered or titled, in this state or under the laws of the United States,  
7           the exemption under par. (a) applies only if all of the following conditions are  
8           fulfilled:

9           **SECTION 73.** 77.54 (31) of the statutes is amended to read:

10           77.54 (31) The gross receipts from the sale of and the storage, use or other  
11           consumption in this state, but not the lease or rental, of used mobile homes ~~that are~~  
12           ~~primary housing units under s. 340.01 (29) or used manufactured homes.~~

13           **SECTION 74.** 77.54 (36) of the statutes is amended to read:

14           77.54 (36) The gross receipts from the rental for a continuous period of one  
15           month or more of a mobile home, as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a  
16           manufactured home, as defined in s. 101.91 (2), that is used as a residence. In this  
17           subsection, “one month” means a calendar month or 30 days, whichever is less,  
18           counting the first day of the rental and not counting the last day of the rental.

19           **SECTION 75.** 77.61 (1) (a) of the statutes is amended to read:

20           77.61 (1) (a) No motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~  
21           ~~45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain vehicle or  
22           aircraft shall be registered or titled in this state unless the registrant presents proof  
23           that the sales or use taxes imposed by this subchapter have been paid.

24           **SECTION 76.** 77.61 (1) (c) of the statutes is amended to read:

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1           77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, ~~mobile homes~~  
2 ~~not exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers,  
3 all-terrain vehicles or aircraft registered or titled, or required to be registered or  
4 titled, in this state purchased from persons who are not Wisconsin boat, trailer or  
5 semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or ~~mobile home~~  
6 recreational vehicle dealers or registered Wisconsin snowmobile or all-terrain  
7 vehicle dealers, the purchaser shall file a sales tax return and pay the tax prior to  
8 registering or titling the motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~  
9 ~~45 feet in length, trailer~~ recreational vehicle, semitrailer, all-terrain vehicle or  
10 aircraft in this state.

11           **SECTION 77.** 77.71 (4) of the statutes is amended to read:

12           77.71 (4) An excise tax is imposed at the rate of ~~0.5%~~ 0.5 percent in the case of a county tax  
13 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales  
14 price upon every person storing, using or otherwise consuming a motor vehicle, boat,  
15 snowmobile, ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer,  
16 semitrailer, all-terrain vehicle or aircraft, if that property must be registered or  
17 titled with this state and if that property is to be customarily kept in a county that  
18 has in effect an ordinance under s. 77.70 or in a special district that has in effect a  
19 resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local  
20 sales tax in another state on a purchase of the same property that tax shall be  
21 credited against the tax under this subsection.

22           **SECTION 78.** 77.78 of the statutes is amended to read:

23           **77.78 Registration.** No motor vehicle, boat, snowmobile, ~~mobile home not~~  
24 ~~exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain  
25 vehicle or aircraft that is required to be registered by this state may be registered or

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1 titled by this state unless the registrant files a sales and use tax report and pays the  
2 county tax and special district tax at the time of registering or titling to the state  
3 agency that registers or titles the property. That state agency shall transmit those  
4 tax revenues to the department of revenue.

5 **SECTION 79.** 77.785 (2) of the statutes is amended to read:

6 77.785 (2) Prior to registration or titling, boat, all-terrain vehicle, trailer and  
7 semi-trailer dealers and licensed aircraft, motor vehicle, ~~mobile home~~ manufactured  
8 home, recreational vehicle, and snowmobile dealers shall collect the taxes under this  
9 subchapter on sales of items under s. 77.71 (4). The dealer shall remit those taxes  
10 to the department of revenue along with payments of the taxes under subch. III.

11 **SECTION 80.** 77.995 (2) of the statutes is amended to read:

12 77.995 (2) There is imposed a fee at the rate of 3%, or 5% for the rental of  
13 limousines, of the gross receipts on the rental, but not for rerental and not for rental  
14 as a service or repair replacement vehicle of Type 1 automobiles, as defined in s.  
15 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of recreational vehicles,  
16 as defined in s. 340.01 (48r); of motor homes, as defined in s. 340.01 (33m); and of  
17 camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged  
18 in short-term rental of vehicles without drivers, for a period of 30 days or less, unless  
19 the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a).

20 **SECTION 81.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

21 79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax  
22 increments collected for payment to a municipality under s. 66.1105 which is  
23 attributable to that municipality's own levy, the portion of environmental  
24 remediation tax increments collected for payment to a municipality or county under  
25 s. 66.1106 that is attributable to that municipality's or county's own levy, general

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1 property taxes, excluding taxes for a county children with disabilities education  
2 board, collected to finance the general purpose government unit, property taxes  
3 collected for sewage and sanitary districts, ~~mobile home~~ <sup>municipal</sup> monthly permit fees under  
4 s. 66.0435, <sup>(3)</sup> the proceeds of county sales and use taxes and municipal and county  
5 vehicle registration fees under s. 341.35 (1).

6 **SECTION 82.** 85.037 of the statutes is amended to read:

7 **85.037 Certification of fees collected.** Annually, no later than October 1,  
8 the secretary of transportation shall certify to the secretary of administration the  
9 amount of fees collected under ~~ss. 101.9208 (1) (dm) and s. 342.14 (3m)~~ during the  
10 previous fiscal year, for the purpose of determining the amounts to be transferred  
11 under s. 20.855 (4) (f) during the current fiscal year.

12 **SECTION 83.** 100.20 (2) (b) of the statutes is amended to read:

13 100.20 (2) (b) Notwithstanding par. (a), the department may not issue any  
14 order or promulgate any rule that regulates the provision of water or sewer service  
15 by a manufactured home ~~park~~ community operator, as defined in s. 101.91 (8), or  
16 manufactured home ~~park~~ community contractor, as defined in s. 101.91 (6m), or  
17 enforce any rule to the extent that the rule regulates the provision of such water or  
18 sewer service.

19 **SECTION 84.** 100.20 (7) of the statutes is created to read:

20 100.20 (7) This section does not apply to a manufactured home community  
21 operator, as defined in s. 101.91 (8), or a manufactured home salesperson, as defined  
22 in s. 101.91 (9).

23 **SECTION 85.** 101.125 (1) (a) of the statutes is amended to read:

24 101.125 (1) (a) "Building" means a place of employment or a public building and  
25 includes, without limitation because of enumeration, wholesale and retail stores,

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1 storerooms, office buildings, factories, warehouses, governmental buildings, hotels,  
2 hospitals, motels, dormitories, sanatoriums, nursing homes, retirement homes,  
3 theaters, stadiums, gymnasiums, amusement park buildings, schools and other  
4 buildings used for educational purposes, places of worship and other places of public  
5 assembly and all residences including mobile homes, manufactured ~~or~~ homes,  
6 industrialized housing, lodging homes, and any other building used as a dwelling for  
7 one or more persons.

8 **SECTION 86.** 101.19 (1) (e) of the statutes is repealed.

9 **SECTION 87.** 101.19 (1) (f) of the statutes is amended to read:

10 101.19 (1) (f) ~~Defraying the cost~~ Administration of the manufactured dwelling  
11 program, the one- and two-family dwelling programs, the manufactured home and  
12 mobile home program, and the multifamily dwelling program.

13 **SECTION 88.** 101.91 (1i) of the statutes is created to read:

14 101.91 (1i) “Installation standards” means specifications for the proper  
15 installation of manufactured homes at their place of occupancy to ensure proper  
16 siting, the joining of all sections of the manufactured home, connection to existing  
17 utility services and the installation of stabilization, support, or anchoring systems.

18 **SECTION 89.** 101.91 (1j) of the statutes is created to read:

19 101.91 (1j) “Installer” means a person who is in the business of installing new  
20 manufactured homes.

21 **SECTION 90.** 101.91 (1t) of the statutes is created to read:

22 101.91 (1t) “Licensed installer” means an installer licensed under s. 101.96 (2)  
23 (b).

24 **SECTION 91.** 101.91 (1v) of the statutes is created to read:

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1       101.91 (1v) “Licensed manufacturer” means a manufactured home  
2 manufacturer licensed under s. 101.95.

3       **SECTION 92.** 101.91 (2) (a) and (b) of the statutes are consolidated, renumbered  
4 101.91 (2) (am) and amended to read:

5       101.91 (2) (am) A structure, transportable in one or more sections, which in the  
6 traveling mode is 8 body feet or more in width or 40 body feet or more in length, or,  
7 when erected on site is 320 or more square feet, and which is built on a permanent  
8 chassis and that is designed to be used as a dwelling with or without a permanent  
9 foundation when connected to the required utilities. (b) A structure which meets all  
10 the requirements of par. (a) except the size requirements, and with respect to which  
11 the manufacturer voluntarily files a certification required by the secretary of  
12 housing and urban development and that complies with the standards established  
13 under 42 USC 5401 to 5425.

14       **SECTION 93.** 101.91 (5m) of the statutes is amended to read:

15       101.91 (5m) “Manufactured home park community” means any plot or plots of  
16 ground upon which 3 or more manufactured homes that are occupied for dwelling or  
17 sleeping purposes are located. “Manufactured home park community” does not  
18 include a farm where the occupants of the manufactured homes are the father,  
19 mother, son, daughter, brother or sister of the farm owner or operator or where the  
20 occupants of the manufactured homes work on the farm.

21       **SECTION 94.** 101.91 (6m) of the statutes is amended to read:

22       101.91 (6m) “Manufactured home park community contractor” means a  
23 person, other than a public utility, as defined in s. 196.01 (5) (a), who, under a  
24 contract with a manufactured home park community operator, provides water or  
25 sewer service to a manufactured home park community occupant or performs a

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1 service related to providing water or sewer service to a manufactured home park  
2 community occupant.

3 **SECTION 95.** 101.91 (7) of the statutes is amended to read:

4 101.91 (7) “Manufactured home park community occupant” means a person  
5 who rents or owns a manufactured home in a manufactured home park community.

6 **SECTION 96.** 101.91 (8) of the statutes is amended to read:

7 101.91 (8) “Manufactured home park community operator” means a person  
8 engaged in the business of owning or managing a manufactured home park  
9 community.

10 **SECTION 97.** 101.91 (11m) of the statutes is created to read:

11 101.91 (11m) “Public utility” has the meaning given in s. 196.01 (5).

12 **SECTION 98.** 101.92 (1) of the statutes is repealed.

13 **SECTION 99.** 101.92 (1m) of the statutes is repealed.

14 **SECTION 100.** 101.92 (5) of the statutes is repealed.

15 **SECTION 101.** 101.92 (6) of the statutes is amended to read:

16 101.92 (6) May enter into reciprocal agreements with other states regarding  
17 the design, construction, inspection, installation, and labeling of manufactured  
18 homes where the laws or rules of other states meet the intent of this subchapter and  
19 where the laws or rules are actually enforced.

20 **SECTION 102.** 101.92 (10) of the statutes is created to read:

21 101.92 (10) Shall establish a manufactured housing information  
22 clearinghouse, which interested persons may access via the Internet. The  
23 clearinghouse shall provide access to information on the manufactured housing  
24 industry and manufactured home communities, including relevant information  
25 concerning applicable laws, consumer protection, and transportation, land use,

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1 landlord-tenant, and leasing issues. In establishing the clearinghouse under this  
2 subsection, the department shall consult with a designee of the chancellor of the  
3 University of Wisconsin-Extension.

4 **SECTION 103.** 101.9203 (4) of the statutes is amended to read:

5 101.9203 (4) The owner of a manufactured home that is situated in this state  
6 or intended to be situated in this state is not required to make application for a  
7 certificate of title under s. 101.9209 if the owner of the manufactured home intends,  
8 upon acquiring the manufactured home, to ~~permanently affix~~ make the  
9 manufactured home a fixture to land ~~that in which~~ the owner of the manufactured  
10 home ~~owns~~ has an ownership or leasehold interest subject to ch. 706.

11 **SECTION 104.** 101.9204 (1m) of the statutes is amended to read:

12 101.9204 (1m) On the form or in the automated format for application for a  
13 certificate of title, the department may show the fee under s. 101.9208 (1) ~~(dm)~~ (4m)  
14 separately from the fee under s. 101.9208 (1) ~~(a)~~ or ~~(d)~~ (4).

15 **SECTION 105.** 101.9205 (3) of the statutes is amended to read:

16 101.9205 (3) The department shall ~~charge~~ establish, by rule under s. 101.19,  
17 a fee of not less than \$2 for conducting a file search of manufactured home title  
18 records.

19 **SECTION 106.** 101.9208 (1) of the statutes is renumbered 101.9208 and  
20 amended to read:

21 **101.9208** ~~The department shall be paid the~~ The following fees shall be  
22 determined by the department by rule under s. 101.19:

23 (1) For filing an application for the first certificate of title, ~~\$8.50,~~ to be paid by  
24 the owner of the manufactured home.



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1       (2) Upon filing an application under ~~par. (a) or (d)~~ sub. (1) or (4), an  
2       environmental impact fee of ~~\$9, to be paid~~ by the person filing the application. All  
3       moneys collected under this subsection shall be credited to the environmental fund  
4       for environmental management. This paragraph does not apply after December 31,  
5       2003.

6       (3) For the original notation and subsequent release of each security interest  
7       noted upon a certificate of title, a single fee of ~~\$4 to be paid~~ by the owner of the  
8       manufactured home.

9       (4) For a certificate of title after a transfer, ~~\$8.50, to be paid~~ by the owner of the  
10      manufactured home.

11      (4m) Upon filing an application under ~~par. (a) or (d)~~ sub. (1) or (4), a  
12      supplemental title fee of ~~\$7.50 to be paid~~ by the owner of the manufactured home,  
13      except that this fee shall be waived with respect to an application under par. (d) for  
14      transfer of a decedent's interest in a manufactured home to his or her surviving  
15      spouse. The fee ~~specified~~ required under this paragraph is subsection shall be paid  
16      in addition to any other fee specified in this section.

17      (5) For each assignment of a security interest noted upon a certificate of title,  
18      ~~\$1 to be paid~~ by the assignee.

19      (6) For a replacement certificate of title, ~~\$8, to be paid~~ by the owner of the  
20      manufactured home.

21      (7) For processing applications for certificates of title that have a special  
22      handling request for fast service, ~~a fee established by the department by rule~~, which  
23      fee shall approximate the cost to the department for providing this special handling  
24      service to persons so requesting.

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1       (8) For the reinstatement of a certificate of title previously suspended or  
2       revoked, \$25.

3       **SECTION 107.** 101.9208 (2) of the statutes is repealed.

4       **SECTION 108.** 101.9208 (2m) of the statutes is created to read:

5       101.9208 (2m) Upon filing an application under sub. (1) or (4), a manufactured  
6       housing rehabilitation and recycling fee, to be paid by the person filing the  
7       application.

8       **SECTION 109.** 101.9213 (8) of the statutes is amended to read:

9       101.9213 (8) Upon request of a person who has perfected a security interest  
10      under this section, as shown by the records of the department, in a manufactured  
11      home titled in this state, whenever the department receives information from  
12      another state that the manufactured home is being titled in the other state and the  
13      information does not show that the security interest has been satisfied, the  
14      department shall notify the person. ~~The person shall pay the department~~ shall  
15      establish, by rule under s. 101.19, a fee of not less than \$2 fee for each notification.

16      **SECTION 110.** 101.925 of the statutes is repealed.

17      **SECTION 111.** 101.93 of the statutes is repealed.

18      **SECTION 112.** 101.933 of the statutes is created to read:

19      **101.933 Manufactured housing code council duties.** The manufactured  
20      housing code council shall review this subchapter and rules promulgated under this  
21      subchapter and recommend a statewide manufactured housing code for  
22      promulgation by the department. The council shall consider and make  
23      recommendations to the department pertaining to rules and any other matter  
24      related to this subchapter, including recommendations with regard to licensure and  
25      professional discipline of manufacturers of manufactured homes, manufactured

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1 home dealers, manufactured home salespersons, and installers, and consumer  
2 protection applicable to consumers of manufactured homes. In making  
3 recommendations, the council shall consider the likely costs of any proposed rules to  
4 consumers in relation to the benefits that are likely to result therefrom.

5 **SECTION 113.** 101.935 (title) of the statutes is amended to read:

6 **101.935 (title) Manufactured home park community regulation.**

7 **SECTION 114.** 101.935 (2) (a) of the statutes is amended to read:

8 101.935 (2) (a) The department or a village, city or county granted agent status  
9 under par. (e) shall issue permits to and regulate manufactured home ~~parks~~  
10 communities. No person, state or local government who has not been issued a permit  
11 under this subsection may conduct, maintain, manage or operate a manufactured  
12 home ~~park~~ community.

13 **SECTION 115.** 101.935 (2) (c) 2. of the statutes is amended to read:

14 101.935 (2) (c) 2. The department shall establish, by rule under s. 101.19, the  
15 permit fee and renewal fee for a permit issued under this subsection. ~~Beginning in~~  
16 ~~fiscal year 2002–03, the~~ The department may increase the fees to recover establish  
17 a fee that defrays the cost of administering s. 101.937. An additional penalty fee, as  
18 established by the department by rule under s. 101.19, is required for each permit  
19 if the biennial renewal fee is not paid before the permit expires.

20 **SECTION 116.** 101.935 (2) (d) of the statutes is amended to read:

21 101.935 (2) (d) A permit may not be issued under this subsection until all  
22 applicable fees have been paid. If the payment is by check or other draft drawn upon  
23 an account containing insufficient funds, the permit applicant shall, within 15 days  
24 after receipt of notice from the department of the insufficiency, pay by cashier's check  
25 or other certified draft, money order or cash the fees to the department, late fees and

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1 processing charges that are specified by rules promulgated by the department. If the  
2 permit applicant fails to pay all applicable fees, late fees and the processing charges  
3 within 15 days after the applicant receives notice of the insufficiency, the permit is  
4 void. In an appeal concerning voiding of a permit under this paragraph, the burden  
5 is on the permit applicant to show that the entire applicable fees, late fees and  
6 processing charges have been paid. During any appeal process concerning a  
7 payment dispute, operation of the manufactured home ~~park~~ community in question  
8 is considered to be operation without a permit.

9 **SECTION 117.** 101.935 (2m) of the statutes is amended to read:

10 101.935 (2m) (a) The department shall inspect a manufactured home ~~park~~  
11 community in the following situations:

12 1. Upon completion of the construction of a manufactured home ~~park~~  
13 community.

14 2. Whenever a manufactured home ~~park~~ community is modified, as defined by  
15 the department by rule.

16 3. Whenever the department receives a complaint about a manufactured home  
17 ~~park~~ community.

18 (b) The department may, with notice, inspect a manufactured home ~~park~~  
19 community whenever the department determines an inspection is appropriate.

20 **SECTION 118.** 101.937 (title), (1) and (2) of the statutes are amended to read:

21 **101.937 (title) Water and sewer service to manufactured home parks**  
22 **communities.** (1) RULES. The department shall promulgate rules that establish  
23 standards for providing water or sewer service by a manufactured home ~~park~~  
24 community operator or manufactured home ~~park~~ community contractor to a  
25 manufactured home ~~park~~ community occupant, including requirements for

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1 metering, billing, depositing, arranging deferred payment, installing service,  
2 refusing or discontinuing service, and resolving disputes with respect to service.  
3 Rules promulgated under this subsection shall ensure that any charge for water or  
4 sewer service is reasonable and not unjustly discriminatory, that the water or sewer  
5 service is reasonably adequate, and that any practice relating to providing the  
6 service is just and reasonable.

7 (2) PERMANENT IMPROVEMENTS. A manufactured home ~~park~~ community  
8 operator may make a reasonable recovery of capital costs for permanent  
9 improvements related to the provision of water or sewer service to manufactured  
10 home ~~park~~ community occupants through ongoing rates for water or sewer service.

11 **SECTION 119.** 101.937 (2m) of the statutes is created to read:

12 101.937 (2m) METERED SERVICE. If a public utility provides metered water  
13 service to a manufactured home community as a whole via a single master meter, the  
14 public utility may not charge a fee for water lost in distribution between the master  
15 meter and the unit meters, except to the extent that the loss, on a percentage basis,  
16 exceeds the public utility's system loss, as reflected in the records the public utility  
17 is required to keep under the rules of the public service commission. ✓

18 **SECTION 120.** 101.937 (3) (a) of the statutes is amended to read:

19 101.937 (3) (a) On its own motion or upon a complaint filed by a manufactured  
20 home ~~park~~ community occupant, the department may issue an order or commence  
21 a civil action against a manufactured home ~~park~~ community operator or  
22 manufactured home ~~park~~ community contractor to enforce this section, any rule  
23 promulgated under sub. (1), or any order issued under this paragraph.

24 **SECTION 121.** 101.938 of the statutes is created to read:

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1       **101.938 Methods of competition and trade practices; manufactured**  
2       **housing.** (1) No manufactured home community operator or manufactured home  
3       salesperson may rent or sell, or offer to rent or sell, a manufactured home or rental  
4       site by employing a method of competition or a trade practice that is unfair.

5       (2) The department of commerce, after a public hearing, may issue an order  
6       against any manufactured home community operator or manufactured home  
7       salesperson enjoining that person from employing any method of competition or  
8       trade practice that the department of commerce determines is unfair or requiring the  
9       person to employ a method of competition or trade practice that the department of  
10      commerce determines is fair.

11      (3) The department of justice may file a written complaint with the department  
12      of commerce alleging that the person named is employing an unfair method of  
13      competition in business or an unfair trade practice in business or both. Whenever  
14      a complaint is filed, the department of commerce shall hold a hearing on the matters  
15      alleged. A representative of the department of justice designated by the attorney  
16      general may appear before the department of commerce at that hearing. The  
17      decisions and orders of the department of commerce are subject to judicial review  
18      under ch. 227.

19      (4) Any person suffering pecuniary loss because of a violation by any other  
20      person of any order issued under this section may sue for damages and shall recover  
21      twice the amount of the pecuniary loss, together with costs, including a reasonable  
22      attorney fee.

23      (5) The department of commerce may commence an action in circuit court to  
24      restrain by temporary or permanent injunction the violation of any order issued  
25      under this section. The court may, prior to entry of final judgment make such orders

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1 or judgments as may be necessary to restore to any person any pecuniary loss  
2 suffered because of the acts or omissions involved in the action.

3 (6) Any person who intentionally refuses, neglects, or fails to obey any rule  
4 promulgated or order issued under this section, may, for each offense, be fined not  
5 less than \$25 nor more than \$5,000 or imprisoned in the county jail for not more than  
6 one year or both.

7 (7) The department of commerce, the department of justice, after consulting  
8 with the department of commerce, or any district attorney may commence an action  
9 in the name of the state to recover a civil forfeiture to the state of not less than \$100  
10 nor more than \$10,000 for each violation of an injunction issued under sub. (5). The  
11 department of commerce or any district attorney may commence an action to recover  
12 a civil forfeiture to the state of not less than \$100 nor more than \$10,000 for each  
13 violation of an order issued under this section.

14 (8) The department of commerce shall promulgate rules for the administration  
15 of this section.

16 **SECTION 122.** 101.94 (2) of the statutes is amended to read:

17 101.94 (2) No person may manufacture, assemble, distribute or sell a  
18 manufactured home unless the manufactured home complies with 42 USC 5401 to  
19 5425 and applicable regulations as in effect on June 15, 1976. The department may  
20 establish, by rule, standards for the safe and sanitary design and construction of  
21 manufactured homes for the purpose of enforcement of this subchapter, and those  
22 standards may include standards in addition to any standards established by the  
23 secretary of housing and urban development under 42 USC 5401 to 5425.

24 **SECTION 123.** 101.94 (3) of the statutes is repealed.

25 **SECTION 124.** 101.94 (4) of the statutes is repealed.

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**SECTION 125.** 101.94 (5) of the statutes is repealed.

**SECTION 126.** 101.94 (6) of the statutes is amended to read:

101.94 (6) Fees for review of plans, construction inspections, department labels and licensing of manufacturers shall be established by department rule under s. 101.19.

**SECTION 127.** 101.951 (2) (a) of the statutes is amended to read:

101.951 (2) (a) Application for a license or a renewal license shall be made to the department on forms prescribed and furnished by the department, accompanied by the license fee required under par. (e) or (d) (bm).

**SECTION 128.** 101.951 (2) (bm) of the statutes is created to read:

101.951 (2) (bm) Fees for licensing of persons under this section shall be established by the department by rule under s. 101.19.

**SECTION 129.** 101.951 (2) (c) of the statutes is repealed.

**SECTION 130.** 101.951 (2) (d) of the statutes is repealed.

**SECTION 131.** 101.952 (2) (a) of the statutes is amended to read:

101.952 (2) (a) Applications for a manufactured home salesperson's license and renewals thereof shall be made to the department on such forms as the department prescribes and furnishes and shall be accompanied by the license fee required under par. (e) or (d) (bm). The application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the department requires.

**SECTION 132.** 101.952 (2) (bm) of the statutes is created to read:

101.952 (2) (bm) Fees for licensing of manufactured home salespersons shall be established by the department by rule under s. 101.19.

**SECTION 133.** 101.952 (2) (c) of the statutes is repealed.



**BILL**

1       **SECTION 134.** 101.952 (2) (d) of the statutes is repealed.

2       **SECTION 135.** 101.957 of the statutes is created to read:

3       **101.957 Nonjudicial resolution of manufactured housing industry**  
4       **disputes.** The department, by rule, shall establish an alternative dispute resolution  
5       program for the timely resolution of any dispute that concerns a defect in a  
6       manufactured home, or in the installation of a manufactured home, reported to the  
7       department within one year of the date on which the manufactured home was  
8       installed and that occurs between parties each of which is a manufacturer of  
9       manufactured homes, manufactured home salesperson, manufactured home dealer,  
10      or installer. Each party to a dispute that is covered by the rules shall submit to the  
11      alternative dispute resolution program before commencing any action arising out of  
12      the dispute against any other party to the dispute. The rules shall facilitate the  
13      informal resolution of disputes, except that, if informal resolution is not obtained in  
14      a timely manner and at least one of the parties to the dispute so requests in writing,  
15      the department shall hold a contested case hearing under ch. 227 and issue an order  
16      directing any party that the department finds responsible for the defect at issue in  
17      the dispute to remedy the defect. This section does not affect the rights of any  
18      consumer to commence an action or the rights of any person to commence an action  
19      against a consumer.

20      **SECTION 136.** 101.96 of the statutes is created to read:

21      **101.96 Manufactured home installation regulated.** (1) **INSTALLATION**  
22      **STANDARDS.** (a) *Promulgation of standards.* The department shall, by rule, establish  
23      installation standards for the safe installation of manufactured homes in this state.  
24      In promulgating rules under this paragraph, the department shall consider the  
25      recommendations of the manufactured housing code council under s. 101.933.

**BILL****SECTION 136**

(b) *Enforcement of standards.* The department shall, by rule, establish a method for ensuring compliance with the rules promulgated under par. (a). The department shall require 3rd-party inspections of manufactured home installations. Each 3rd-party inspector shall complete, to the satisfaction of the department, an examination that meets the criteria under sub. (2) (b) 3. An individual may not serve as a 3rd-party inspector if the individual is, employed by, or is an independent contractor of a manufactured home manufacturer, manufactured home salesperson, or installer who was directly involved in the sale of the particular manufactured home.

(2) MANUFACTURED HOME INSTALLERS. (a) *License required; exceptions; liability.* Except as otherwise provided in this paragraph, no person may act as an installer in this state unless the person is a licensed installer or employs one or more licensed installers to generally supervise each of the person's installations of manufactured homes in this state. This requirement does not apply to an individual who installs a manufactured home on his or her own property for his or her personal use or to an individual who installs a manufactured home under the general supervision of a licensed installer. A licensed installer is liable for all acts and omissions related to the installation of each individual who performs an installation under the licensed installer's general supervision.

(b) *License eligibility.* The department may issue an installer's license only to an individual to whom all of the following apply:

1. The individual is at least 18 years old.
2. The individual files with the department a license application on a form prescribed by the department.

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1           3. The individual completes, to the satisfaction of the department, an  
2 examination approved by the department that tests the skills necessary to properly  
3 install manufactured homes and knowledge of the laws applicable to manufactured  
4 home installation.

5           4. The individual has not been found responsible in any judicial or  
6 administrative forum for any violation of this section during the 2 years before the  
7 date on which the individual's license application is submitted.

8           5. The individual has not been found responsible in any judicial or  
9 administrative forum during the 2 years before the date on which the individual's  
10 license application is submitted for any failure to perform an installation of a  
11 manufactured home as required under contract or for defrauding any person with  
12 regard to the provision of installation services.

13           6. The individual meets the standards of financial responsibility established  
14 by rule of the department.

15           (c) *License term and fee.* The department, by rule under sub. (1) (b), shall  
16 establish the term of installers' licenses and the conditions under which the  
17 department may revoke or suspend installers' licenses. The department shall  
18 establish an initial installer's license fee and license renewal fee by rule under s.  
19 101.19.

20           **(3) MUNICIPAL AUTHORITY.** (a) *Authority limited.* No city, village, town, or county  
21 may enact an ordinance or adopt a resolution regulating a matter governed by this  
22 section or by a rule promulgated under this section.

23           (b) *Retroactive effect.* If a city, village, town, or county has in effect on the  
24 effective date of this paragraph .... [revisor inserts date], an ordinance or resolution

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1 that is inconsistent with par. (a), the ordinance or resolution does not apply and may  
2 not be enforced.

3 **SECTION 137.** 101.965 (1p) of the statutes is created to read:

4 101.965 (1p) Any person who violates s. 101.96 or any rule promulgated under  
5 that section may be required to forfeit not less than \$25 nor more than \$500 for each  
6 violation. Each day of continued violation constitutes a separate violation.

7 **SECTION 138.** 101.965 (1t) of the statutes is created to read:

8 101.965 (1t) Upon request of the department, the attorney general may  
9 commence an action in a court of competent jurisdiction to enjoin any installer from  
10 installing a manufactured home in violation of s. 101.96 (2).

Insert  
54-1011  
11 **SECTION 139.** 106.50 (1m) (L) of the statutes is amended to read:

12 106.50 (1m) (L) "Housing" means any improved property, or any portion  
13 thereof, including a mobile home as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10),  
14 manufactured home, as defined in s. 101.91 (2), or condominium, that is used or  
15 occupied, or is intended, arranged or designed to be used or occupied, as a home or  
16 residence. "Housing" includes any vacant land that is offered for sale or rent for the  
17 construction or location thereon of any building, structure or portion thereof that is  
18 used or occupied, or is intended, arranged or designed to be used or occupied, as a  
19 home or residence.

20 **SECTION 140.** 138.052 (1) (b) of the statutes is amended to read:

21 138.052 (1) (b) "Loan" means a loan secured by a first lien real estate mortgage  
22 on, or an equivalent security interest in, a ~~one-~~ one-family to 4-family dwelling  
23 which the borrower uses as his or her principal place of residence and which is made,  
24 refinanced, renewed, extended or modified on or after November 1, 1981, but does  
25 not include a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c).

**BILL**

1           **SECTION 141.** 138.056 (1) (b) of the statutes is amended to read:

2           138.056 (1) (b) “Dwelling” includes a cooperative housing unit and a mobile  
3 home or manufactured home.

4           **SECTION 142.** 138.056 (1) (bd) of the statutes is created to read:

5           138.056 (1) (bd) “Manufactured home” has the meaning given in s. 101.91 (2).

6           **SECTION 143.** 138.056 (1) (bm) of the statutes is amended to read:

7           138.056 (1) (bm) “Mobile home” ~~means a vehicle designed to be towed as a~~  
8 ~~single unit or in sections upon a highway by a motor vehicle and equipped and used,~~  
9 ~~or intended to be used, primarily for human habitation, with walls of rigid~~  
10 ~~uncollapsible construction. “Mobile home” includes the mobile home structure,~~  
11 ~~including the plumbing, heating and electrical systems and all appliances and all~~  
12 ~~other equipment carrying a manufacturer’s warranty~~ has the meaning given in s.  
13 101.91 (10).

14           **SECTION 144.** 138.056 (1) (c) of the statutes is amended to read:

15           138.056 (1) (c) “~~Mobile~~ Manufactured home transaction” means a consumer  
16 credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301  
17 (12), secured by a first lien or equivalent security interest in a mobile home or  
18 manufactured home.

19           **SECTION 145.** 138.056 (1) (d) of the statutes is amended to read:

20           138.056 (1) (d) “Variable rate loan” means a ~~mobile~~ manufactured home  
21 transaction or a loan as defined in s. 138.052 (1) (b), the terms of which permits the  
22 interest rate to be increased or decreased.

23           **SECTION 146.** 138.056 (3) (a) of the statutes is amended to read:

24           138.056 (3) (a) A variable rate loan involving a ~~mobile~~ manufactured home  
25 transaction or using an approved index ~~may be prepaid at any time in whole or in part~~

**BILL****SECTION 146**

without penalty. Other variable rate loans may be prepaid in whole or part without penalty within 30 days after notice of an increase in the interest rate and with the prepayment penalty under s. 138.052 (2) (a) 2. and 3. if prepayment is made before or after the 30-day period. This paragraph controls if there is a conflict with s. 138.052 (2) (a).

**SECTION 147.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan that is secured primarily by an interest in real property or, in a mobile home, as defined in s. 138.056 (1) (bm) 101.91 (10), or in a manufactured home, as defined in s. 101.91 (2).

**SECTION 148.** 145.06 (4) (g) of the statutes is created to read:

145.06 (4) (g) Connecting sewer and water service piping to a new manufactured home, if the connection involves the installation of 10 feet or less of sewer service piping and 10 feet or less of water service piping and is made as part of an installation allowed under s. 101.96 (2).

**SECTION 149.** 165.25 (4) (av) of the statutes is created to read:

165.25 (4) (av) The department of justice shall furnish all legal services required by the department of commerce relating to the enforcement of s. 101.938 together with any other services as are necessarily connected to the legal services.

**SECTION 150.** 214.485 (10) of the statutes is amended to read:

214.485 (10) For the purpose of mobile home or manufactured home financing.

**SECTION 151.** 215.205 (1) of the statutes is amended to read:

215.205 (1) Loans or obligations, or interests therein, for the purpose of mobile home or manufactured home financing.

**SECTION 152.** 218.10 (8m) of the statutes is amended to read:

**BILL**

1           218.10 (8m) “Recreational vehicle” means a mobile home, as defined in s.  
2           340.01 (29), that does not exceed the statutory size under s. 348.07 (2) has the  
3           meaning given in s. 340.01 (48r).

4           **SECTION 153.** 234.622 (7) of the statutes is amended to read:

5           234.622 (7) “Qualifying dwelling unit” means a dwelling unit, not including a  
6           mobile home as defined in s. ~~66.0435~~ 101.91 (10), located in this state, habitable as  
7           a permanent residence and to which property taxes or special assessments are, or  
8           may conveniently be, allocated and up to one acre of land appertaining to it held in  
9           the same ownership as the dwelling unit. For purposes of ss. 234.621 to 234.626,  
10          “qualifying dwelling unit” includes a unit in a condominium or in a cooperative or in  
11          a ~~multi-unit~~ multiunit dwelling with 4 or fewer units, but in all of these 3 cases only  
12          the portion of taxes or special assessments allocable to the unit lived in by the  
13          participant may qualify for loans under ss. 234.621 to 234.626.

14          **SECTION 154.** 340.01 (18m) of the statutes is amended to read:

15          340.01 (18m) “Fifth-wheel ~~mobile home~~ recreational vehicle” means a mobile  
16          home as defined in sub. (29) which recreational vehicle that is towed by a vehicle with  
17          a flatbed frame so the trailer hitch of the ~~mobile home~~ recreational vehicle is bolted  
18          to the flatbed frame of the towing vehicle.

19          **SECTION 155.** 340.01 (27k) of the statutes is created to read:

20          340.01 (27k) “~~Manufactured~~ modular building” has the meaning given in s. 101.71 (6).

21          **SECTION 156.** 340.01 (27m) of the statutes is created to read:

22          340.01 (27m) “Manufactured home” has the meaning given in s. 101.91 (2).

23          **SECTION 157.** 340.01 (29) of the statutes is amended to read:

24          340.01 (29) “Mobile home” means a ~~mobile home~~ as a single unit  
25          ~~or in sections upon a highway by a motor~~ used or intended

*created*

**BILL****SECTION 157**

1 to be used, primarily for human habitation, with walls of rigid uncollapsible  
2 construction has the meaning given in s. 101.91 (10).

3 **SECTION 158.** 340.01 (48r) of the statutes is amended to read:

4 340.01 (48r) "Recreational vehicle" means a mobile home that does not exceed  
5 the statutory size under s. 348.07 (2) vehicle that is designed to be towed upon a  
6 highway by a motor vehicle, that is equipped and used, or intended to be used,  
7 primarily for temporary or recreational human habitation, that has walls of rigid,  
8 uncollapsible construction, and that does not exceed 45 feet in length.

9 **SECTION 159.** 341.05 (26) (a) of the statutes is renumbered 341.05 (26).

10 **SECTION 160.** 341.05 (26) (b) of the statutes is repealed.

11 **SECTION 161.** 341.12 (1) of the statutes is amended to read:

12 341.12 (1) The department upon registering a vehicle pursuant to s. 341.25 or  
13 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an  
14 automobile, motor truck, motor bus, school bus, ~~self-propelled recreational vehicle~~  
15 motor home, or dual purpose motor home and one plate for other vehicles. The  
16 department upon registering a vehicle pursuant to any other section shall issue one  
17 plate unless the department determines that 2 plates will better serve the interests  
18 of law enforcement.

19 **SECTION 162.** 343.055 (1) (d) of the statutes is amended to read:

20 343.055 (1) (d) *Recreational vehicle operators.* The operator of the commercial  
21 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel  
22 ~~mobile home~~ recreational vehicle or single-unit recreational vehicle and the vehicle  
23 or combination, including both units of a combination towing vehicle and the  
24 5th-wheel ~~mobile home~~ recreational vehicle or recreational vehicle, is both operated  
25 and controlled by the person and is transporting only members of the person's family,



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1 guests or their personal property. This paragraph does not apply to any  
2 transportation for hire or the transportation of any property connected to a  
3 commercial activity. In this paragraph, “controlled” means leased or owned.

4 **SECTION 163.** 346.94 (8) of the statutes is amended to read:

5 346.94 (8) TRANSPORTING PERSONS IN MOBILE HOMES, RECREATIONAL VEHICLES, OR  
6 BOATS. Except as provided in sub. (8m), no person may operate a motor vehicle towing  
7 any mobile home, recreational vehicle, or boat on a trailer upon a highway when any  
8 person is in such mobile home, recreational vehicle, or boat.

9 **SECTION 164.** 346.94 (8m) of the statutes is amended to read:

10 346.94 (8m) TRANSPORTING PERSONS IN FIFTH-WHEEL MOBILE HOMES  
11 RECREATIONAL VEHICLES. (a) No person may operate a motor vehicle towing a  
12 fifth-wheel ~~mobile home~~ recreational vehicle upon a highway when any person  
13 under the age of 12 years is in the fifth-wheel ~~mobile home~~ recreational vehicle  
14 unless one person 16 years of age or older is also in the fifth-wheel ~~mobile home~~  
15 recreational vehicle.

16 (b) No person may operate a motor vehicle towing a fifth-wheel ~~mobile home~~  
17 recreational vehicle upon a highway with any person in such ~~mobile home~~  
18 recreational vehicle unless the fifth-wheel ~~mobile home~~ recreational vehicle is  
19 equipped with a two-way communications system in proper working order and  
20 capable of providing voice communications between the operator of the towing  
21 vehicle and any occupant of the fifth-wheel ~~mobile home~~ recreational vehicle.

22 **SECTION 165.** 347.15 (2) of the statutes is amended to read:

23 347.15 (2) Except as provided in sub. (1), there shall be at least 2 direction  
24 signal lamps showing to the front on motor vehicles and at least 2 showing to the rear  
25 on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so

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1 as to indicate intention to turn right or left. Lamps showing to the front shall be  
2 located on the same level and as widely spaced laterally as practicable and lamps  
3 showing to the rear shall be located on the same level and as widely spaced laterally  
4 as practicable. Such lamps shall project a flashing white or amber light visible to the  
5 front and a flashing red or amber light visible to the rear. Direction signal lamps  
6 when in use shall be plainly visible and understandable from all distances to 300 feet  
7 during normal sunlight. No direction signal lamp shall have any type of decorative  
8 covering that restricts the amount of light emitted when the direction signal lamp  
9 is in use. When actuated, such lamps shall indicate the intended direction of turning  
10 by flashing the lights showing to the front and rear on the side toward which the turn  
11 is made. This subsection does not apply to any type of decorative covering originally  
12 equipped on the vehicle at the time of manufacture and sale.

13 **SECTION 166.** 347.35 (4) of the statutes is amended to read:

14 347.35 (4) MOBILE HOMES AND RECREATIONAL VEHICLES. No person shall  
15 manufacture and no person shall sell a mobile home or recreational vehicle in this  
16 state unless such mobile home or recreational vehicle is equipped with brakes  
17 adequate to control the movement of and to stop and hold it. No person shall operate  
18 on a highway any mobile home registered as a 1940 or later year model or  
19 recreational vehicle unless such mobile home or recreational vehicle is equipped with  
20 brakes adequate to control the movement of and to stop and hold it.

21 **SECTION 167.** 347.45 (1) of the statutes is amended to read:

22 347.45 (1) All automobiles, motor trucks, motor buses, truck tractors, trailers,  
23 semitrailers, recreational vehicles, and mobile homes when operated upon a  
24 highway shall be completely equipped with tires inflated with compressed air and  
25 all other motor vehicles when operated on a highway shall be equipped with tires of

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1 rubber or of some material or construction of equal resiliency. No person may operate  
2 on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile  
3 home having any metal tire in contact with the roadway, except that tire chains of  
4 reasonable proportions may be used when required for safety because of snow, ice or  
5 other conditions tending to cause a vehicle to skid, and except as provided in sub. (2)  
6 (c).

7 **SECTION 168.** 347.47 (2) of the statutes is amended to read:

8 347.47 (2) No person shall operate a motor vehicle drawing a trailer,  
9 semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch  
10 and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home  
11 to the vehicle by which it is drawn is of such construction as to cause such trailer,  
12 semitrailer, recreational vehicle, or mobile home to follow in direct line with the  
13 propelling vehicle without dangerous side swing or wobble. The hitch and coupling,  
14 the surface to which they are attached, and the connections, shall be of sufficient  
15 strength to prevent failure under all conditions of operation. The hitch is that part  
16 of the connecting mechanism, including the coupling platform and its attaching  
17 members or weldments, which is attached to the towing vehicle. The coupling is that  
18 part of the connecting mechanism, including the coupling and its attaching members  
19 or weldments, which is attached to the trailer, recreational vehicle, or mobile home  
20 and by which connection is made to the hitch. If a device is used between the trailer  
21 proper and the coupling such as a pole, such device shall also meet the requirements  
22 of this section.

23 **SECTION 169.** 347.47 (4) of the statutes is amended to read:

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## SECTION 169

1        347.47 (4) Trailer, semitrailer, recreational vehicle, and mobile home couplings  
2        and the safety chains, leveling bars or cables shall be of such minimum strength,  
3        design and type as established by published rule of the department.

4        **SECTION 170.** 348.06 (1) of the statutes is amended to read:

5        348.06 (1) Except as provided in sub. (2), no person, without a permit therefor,  
6        may operate on a highway any motor vehicle, mobile home, recreational vehicle,  
7        trailer, or semitrailer having an overall height in excess of 13 1/2 feet.

8        **SECTION 171.** 348.07 (2) (c) of the statutes is amended to read:

9        348.07 (2) (c) ~~Forty five~~ Forty-five feet for ~~mobile homes~~ recreational vehicles  
10       and motor buses.

11       **SECTION 172.** 348.07 (3) (a) of the statutes is amended to read:

12       348.07 (3) (a) The overall length of a mobile home or recreational vehicle shall  
13       be measured from the rear thereof to the rear of the vehicle to which it is attached.

14       **SECTION 173.** 348.10 (5) (intro.) of the statutes is amended to read:

15       348.10 (5) (intro.) The load imposed upon trailers ~~or~~, semitrailers, recreational  
16       vehicles, or mobile homes shall be distributed in a manner that will prevent side  
17       sway under all conditions of operation:

18       **SECTION 174.** 348.10 (5) (a) of the statutes is amended to read:

19       348.10 (5) (a) All items of load carried by any trailer, semitrailer, recreational  
20       vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in  
21       containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle,  
22       or mobile home in such manner as to prevent shifting of the load while the trailer,  
23       semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

24       **SECTION 175.** 348.10 (5) (c) of the statutes is amended to read:

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348.10 (5) (c) The load carried by any trailer, semitrailer, recreational vehicle, or mobile home shall be so positioned that a weight of not less than 35 pounds is imposed at the center of the point of attachment to the towing vehicle when parked on a level surface.

**SECTION 176.** 348.26 (4) of the statutes is amended to read:

348.26 (4) MOBILE HOME, MANUFACTURED HOME, AND MANUFACTURED BUILDING PERMITS. Single trip permits for the movement of oversize mobile homes, manufactured homes, and manufactured buildings may be issued only by the department, regardless of the highways to be used. Every such permit shall designate the route to be used by the permittee.

**SECTION 177.** 348.27 (7) of the statutes is amended to read:

348.27 (7) MOBILE HOME, MANUFACTURED HOME, AND MANUFACTURED BUILDING PERMITS. The department may issue annual or consecutive month statewide permits to licensed mobile home, manufactured home, or manufactured building transport companies and to licensed mobile home, manufactured home, or manufactured building manufacturers and dealers authorizing them to transport oversize mobile homes, manufactured homes, or manufactured building over any of the highways of the state in the ordinary course of their business.

**SECTION 178.** 348.27 (7m) of the statutes is amended to read:

348.27 (7m) **THREE-VEHICLE COMBINATIONS.** The department may issue an annual or consecutive month permit for the movement of a 3-vehicle combination consisting of a towing vehicle and, in order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the 3-vehicle combination unless not structurally possible, a mobile home recreational vehicle or camping trailer, and a boat trailer, motorcycle trailer, personal watercraft trailer or all-terrain vehicle trailer, if the

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1 overall length of the combination of vehicles does not exceed 60 feet and the towed  
2 vehicles are for the use of the operator of the towing vehicle. A permit under this  
3 subsection may be issued only by the department, regardless of the highways to be  
4 used. The department may designate the routes that may be used by the permittee.  
5 The fee for an annual permit under this subsection is \$40. The fee for a consecutive  
6 month permit under this subsection shall be determined in the manner provided in  
7 s. 348.25 (8) (bm), except that the \$40 fee for an annual permit under this subsection  
8 shall be used in the computation.

Insert  
64-8  
9 **SECTION 179.** 349.03 (2) of the statutes is amended to read:

10 349.03 (2) No local authority may enact or enforce any traffic regulation  
11 providing for suspension or revocation of motor vehicle operator's licenses or  
12 requiring local registration of vehicles, except as authorized by s. 341.35, or in any  
13 manner excluding or prohibiting any motor vehicle, mobile home, vehicle  
14 transporting a manufactured home or ~~manufactured building~~ <sup>modular home</sup>, recreational vehicle,  
15 trailer, or semitrailer whose owner has complied with chs. 341 to 348 from the free  
16 use of all highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3),  
17 349.13, 349.17, 349.22 and 349.23.

18 **SECTION 180.** 422.201 (12m) of the statutes is amended to read:

19 422.201 (12m) This section does not apply to consumer credit sales of or  
20 consumer loans secured by a first lien on or equivalent security interest in mobile  
21 homes or manufactured homes, as defined in s. ~~138.056 (1) (bm)~~ <sup>✓</sup> 101.91, if the sales  
22 or loans are made on or after November 1, 1981.

23 **SECTION 181.** 422.202 (2) (intro.) of the statutes is amended to read:

24 422.202 (2) (intro.) With respect to a consumer credit transaction which  
25 involves a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c) or

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1 the extension of credit secured by an interest in real property, the parties may agree  
2 to the payment by the customer of the following charges in addition to the finance  
3 charge, if they will be paid to persons not related to the merchant, are reasonable in  
4 amount, bona fide and not for the purpose of circumvention or evasion of this  
5 subchapter:

6 **SECTION 182.** 422.209 (1m) (a) 2. of the statutes is amended to read:

7 422.209 (1m) (a) 2. The loan administration fee is for a consumer loan that is  
8 secured primarily by an interest in real property or in a mobile home, as defined in  
9 s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in s. 101.91  
10 (2).

11 **SECTION 183.** 422.209 (6m) of the statutes is amended to read:

12 422.209 (6m) For purpose of this section, the finance charge in a mobile  
13 manufactured home transaction as defined in s. 138.056 (1) (c) does not include fees,  
14 discounts, or other sums actually imposed by the government national mortgage  
15 association, the federal national mortgage association, the federal home loan  
16 mortgage corporation or other governmentally sponsored secondary mortgage  
17 market purchaser of the loan or any private secondary mortgage market purchaser  
18 of the loan who is not a person related to the original lender.

19 **SECTION 184.** 422.402 (5) (intro.) of the statutes is amended to read:

20 422.402 (5) (intro.) This section does not apply to a mobile manufactured home  
21 transaction as defined in s. 138.056 (1) (c) made on or after November 1, 1981, and  
22 before November 1, 1984, if:

23 **SECTION 185.** 422.402 (5) (b) of the statutes is amended to read:

24 422.402 (5) (b) The unequal or irregular payment is the final scheduled  
25 payment of the transaction, and the merchant agrees to refinance the final scheduled

**BILL****SECTION 185**

1 payment at a rate of interest not in excess of the rate disclosed pursuant to subch.  
2 III of ch. 422 by more than one percent multiplied by the number of 6-month periods  
3 in the term of the immediately prior ~~mobile~~ manufactured home transaction.

4 **SECTION 186.** 422.413 (2g) (intro.) of the statutes is amended to read:

5 422.413 (2g) (intro.) In any consumer credit transaction in which the collateral  
6 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),  
7 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft  
8 as defined in s. 114.002 (3), or a mobile home or manufactured home as defined in s.  
9 ~~138.056 (1) (bm)~~ 101.91, a writing evidencing the transaction may provide for the  
10 creditor's recovery of all of the following expenses, if the expenses are reasonable and  
11 bona fide:

12 **SECTION 187.** 424.301 (1) (b) 1. of the statutes is amended to read:

13 424.301 (1) (b) 1. The actual cash value or stated value of any motor vehicle,  
14 manufactured home, or mobile home in which the creditor holds a security interest.

15 **SECTION 188.** 560.285 of the statutes is created to read:

16 **560.285 Manufactured housing rehabilitation and recycling. (1)**

17 DEFINITION. In this section, "manufactured home" has the meaning given in s. 101.91  
18 (2).

19 (2) GRANT PROGRAM. (a) The department may make grants under this section  
20 to provide financial assistance to persons engaged in the disposal of abandoned  
21 manufactured homes and to municipalities, for the purpose of supporting  
22 environmentally sound disposal practices.

23 (b) The department may make grants under this section to provide financial  
24 assistance to individuals who reside in manufactured homes that are in need of



**BILL**

critical repairs. An individual is eligible for a grant under this paragraph only if the individual is otherwise unable to finance the critical repairs.

(3) ADMINISTRATION. The department shall contract with one or more entities that are exempt from taxation under section 501 (a) of the Internal Revenue Code and that employ individuals with technical expertise concerning manufactured housing for the administration of the grant program under this section. The department shall promulgate rules to establish the grant program under this section. To the extent feasible, the department shall coordinate the program under this section with the state housing strategy plan under s. 560.9802.

**SECTION 189.** 707.02 (4) of the statutes is amended to read:

707.02 (4) “Campground” means real property that is available for use by campground members under a campground contract and is intended for camping or outdoor recreation, including the use of campsites and campground amenities by campground members, but does not include a manufactured and mobile home park community as defined in s. 66.0435 (1) (e).

**SECTION 190.** 710.15 (title) of the statutes is amended to read:

**710.15 (title) Mobile Manufactured and mobile home park community regulations.**

**SECTION 191.** 710.15 (1) (a) of the statutes is renumbered 710.15 (1) (ag) and amended to read:

710.15 (1) (ag) “Lease” means a written agreement between an operator and a resident ~~or mobile home occupant~~ establishing the terms upon which the mobile home ~~or manufactured home~~ may be located in the park community or the ~~mobile home occupant~~ resident may occupy a mobile home or manufactured home in the park community.

**BILL****SECTION 192**

1       **SECTION 192.** 710.15 (1) (am) of the statutes is created to read:

2       710.15 (1) (am) “Manufactured home” has the meaning given in s. 101.91 (2).

3       **SECTION 193.** 710.15 (1) (b) of the statutes is amended to read:

4       710.15 (1) (b) “Mobile home” has the meaning given under s. 66.0435 (1) (d)  
5       101.91 (10), but does not include any unit used primarily for camping, touring or  
6       recreational purposes a recreational vehicle, as defined in s. 340.01 (48r).

7       **SECTION 194.** 710.15 (1) (c) of the statutes is amended to read:

8       710.15 (1) (c) “~~Mobile home occupant~~ Occupant” means a person who rents a  
9       mobile home or manufactured home in a park community from an operator or who  
10       occupies a mobile home or manufactured home located on a plot of ground that is  
11       rented in a community from an operator.

12       **SECTION 195.** 710.15 (1) (d) of the statutes is amended to read:

13       710.15 (1) (d) “Operator” means a person engaged in the business of renting  
14       plots of ground or mobile homes or manufactured homes in a park community to  
15       mobile home or manufactured home owners or ~~mobile home~~ occupants.

16       **SECTION 196.** 710.15 (1) (e) of the statutes is renumbered 710.15 (1) (ad) and  
17       amended to read:

18       710.15 (1) (ad) “~~Park Community~~” means a tract of land containing 2 3 or more  
19       plots of ground upon which mobile homes or manufactured homes are located in  
20       exchange for the payment of rent or any other fee pursuant to a lease.

21       **SECTION 197.** 710.15 (1) (f) of the statutes is amended to read:

22       710.15 (1) (f) “Resident” means a person who rents a mobile home or  
23       manufactured home site in a park community from an operator and who occupies the  
24       mobile home or site as his or her residence.

25       **SECTION 198.** 710.15 (1m) of the statutes is amended to read:

**BILL**

1           710.15 (1m) REQUIREMENT AND TERM OF LEASE. Every agreement for the rental  
2 of a mobile home site ~~or mobile home~~ or manufactured home site shall be by lease.  
3 Every lease shall be for a term of at least one year unless the resident or ~~mobile home~~  
4 occupant requests a shorter term and the operator agrees to the shorter term.

5           **SECTION 199.** 710.15 (2) of the statutes is amended to read:

6           710.15 (2) RULES INCLUDED IN LEASE. All park community rules that  
7 substantially affect the rights or duties of residents or ~~mobile home~~ occupants or of  
8 operators, including park community rules under sub. (2m) (b), shall be made a part  
9 of every lease between them.

10          **SECTION 200.** 710.15 (2m) (a) of the statutes is amended to read:

11          710.15 (2m) (a) Every lease shall state whether the park community contains  
12 an emergency shelter.

13          **SECTION 201.** 710.15 (2m) (b) of the statutes is amended to read:

14          710.15 (2m) (b) If a park community contains an emergency shelter under par.  
15 (a), the park community rules shall state the location of the emergency shelter and  
16 procedures for its use.

17          **SECTION 202.** 710.15 (3) of the statutes is amended to read:

18          710.15 (3) PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME OR MANUFACTURED  
19 HOME. (a) An operator may not deny a resident the opportunity to enter into or renew,  
20 and may not include, exclude or alter any terms of, a lease to continue to locate a  
21 mobile home or manufactured home in the park community solely or in any part on  
22 the basis of the age of the mobile home or manufactured home.

23          (b) An operator may not require the removal of a mobile home or manufactured  
24 home from a park community solely or in any part on the basis of the age of the mobile

**BILL****SECTION 202**

1 home or manufactured home, regardless of whether the ownership or occupancy of  
2 the mobile home or manufactured home has changed or will change.

3 **SECTION 203.** 710.15 (4) of the statutes is amended to read:

4 710.15 (4) PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF  
5 MOBILE HOME OR MANUFACTURED HOME. An operator may not require the removal of  
6 a mobile home or manufactured home from a park community solely or in any part  
7 because the ownership or occupancy of the mobile home or manufactured home has  
8 changed or will change. An operator may refuse to enter into an initial lease with  
9 a prospective resident or mobile home occupant for any other lawful reason.

10 **SECTION 204.** 710.15 (4m) of the statutes is amended to read:

11 710.15 (4m) NO INTEREST IN REAL ESTATE; SCREENING PERMITTED. Neither sub. (3)  
12 (b) nor sub. (4) creates or extends any interest in real estate or prohibits the lawful  
13 screening of prospective residents and mobile home occupants by an operator.

14 **SECTION 205.** 710.15 (5m) (intro.) of the statutes is amended to read:

15 710.15 (5m) TERMINATION OF TENANCY OR NONRENEWAL OF LEASE. (intro.)  
16 Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or mobile home  
17 occupant in a park community may not be terminated, nor may the renewal of the  
18 lease be denied by the park community operator, except upon any of the following  
19 grounds:

20 **SECTION 206.** 710.15 (5m) (a) of the statutes is amended to read:

21 710.15 (5m) (a) Failure to pay rent due, or failure to pay taxes or any other  
22 charges due for which the park community owner or operator may be liable.

23 **SECTION 207.** 710.15 (5m) (e) of the statutes is amended to read:

24 710.15 (5m) (e) Violation of park community rules that endangers the health  
25 or safety of others or disrupts the right to the peaceful enjoyment and use of the

**BILL**

1 premises by others, after written notice to cease the violation has been delivered to  
2 the resident or ~~mobile home~~ occupant.

3 **SECTION 208.** 710.15 (5m) (em) of the statutes is amended to read:

4 710.15 (5m) (em) Violation of federal, state or local laws, rules or ordinances  
5 relating to mobile homes or manufactured homes after written notice to cease the  
6 violation has been delivered to the resident or ~~mobile home~~ occupant.

7 **SECTION 209.** 710.15 (5m) (f) of the statutes is amended to read:

8 710.15 (5m) (f) The ~~park~~ community owner or operator seeks to retire the ~~park~~  
9 community permanently from the rental housing market.

10 **SECTION 210.** 710.15 (5m) (g) of the statutes is amended to read:

11 710.15 (5m) (g) The ~~park~~ community owner or operator is required to  
12 discontinue use of the ~~park~~ community for the purpose rented as a result of action  
13 taken against the ~~park~~ community owner or operator by local or state building or  
14 health authorities and it is necessary for the premises to be vacated to satisfy the  
15 relief sought by the action.

16 **SECTION 211.** 710.15 (5m) (h) of the statutes is amended to read:

17 710.15 (5m) (h) The physical condition of the mobile home or manufactured  
18 home presents a threat to the health or safety of its occupants or others in the ~~park~~  
19 community or, by its physical appearance, disrupts the right to the enjoyment and  
20 use of the ~~park~~ community by others.

21 **SECTION 212.** 861.21 (1) (b) of the statutes is amended to read:

22 861.21 (1) (b) “Home” means any dwelling in which the decedent had an  
23 interest and that at the time of the decedent’s death the surviving spouse occupies  
24 or intends to occupy. If there are several such dwellings, any one may be designated  
25 by the surviving spouse. “Home” includes a house, a mobile home, a manufactured

**BILL****SECTION 212**

1 home, a duplex or multiple apartment building one unit of which is occupied by the  
2 surviving spouse and a building used in part for a dwelling and in part for commercial  
3 or business purposes. “Home” includes all of the surrounding land, unless the court  
4 sets off part of the land as severable from the remaining land under sub. (5).

5 **SECTION 213.** 941.20 (1) (d) of the statutes is amended to read:

6 941.20 (1) (d) While on the lands of another discharges a firearm within 100  
7 yards of any building devoted to human occupancy situated on and attached to the  
8 lands of another without the express permission of the owner or occupant of the  
9 building. “Building” as used in this paragraph includes any house trailer,  
10 manufactured home, or mobile home but does not include any tent, bus, truck,  
11 vehicle or similar portable unit.

12 **SECTION 214.** 990.01 (14) of the statutes is amended to read:

13 990.01 (14) HOMESTEAD EXEMPTION. “Exempt homestead” means the dwelling,  
14 including a building, condominium, mobile home, manufactured home, house trailer  
15 or cooperative, and so much of the land surrounding it as is reasonably necessary for  
16 its use as a home, but not less than 0.25 acre, if available, and not exceeding 40 acres,  
17 within the limitation as to value under s. 815.20, except as to liens attaching or rights  
18 of devisees or heirs of persons dying before the effective date of any increase of that  
19 limitation as to value.

20 **SECTION 215. Nonstatutory provisions.**

21 (1) PROPOSED RULES. No later than the first day of the 12th month beginning  
22 after the effective date of this subsection, the department of commerce shall submit  
23 in proposed form the rules required under sections 101.9205 (3), 101.9208, 101.9213  
24 (8), 101.951 (2) (bm), 101.952 (2) (bm), and 101.96 of the statutes, as affected by this  
25 act, to the legislative council staff under section 227.15 (1) of the statutes.

**BILL**

1           (2) INITIAL MEMBERS OF MANUFACTURED HOUSING CODE COUNCIL. Notwithstanding  
2 the length of terms specified for the manufactured housing code council under  
3 section 15.157 (13) (a) of the statutes, as created by this act, the initial members  
4 appointed under section 15.157 (13) (a) 1. and 2. of the statutes, as created by this  
5 act, shall be appointed for terms that expire on July 1, 2004; the initial members  
6 appointed under section 15.157 (13) (a) 3. and 4. of the statutes, as created by this  
7 act, shall be appointed for terms that expire on July 1, 2005; and the remaining initial  
8 members appointed under section 15.157 (13) (a) 5. to 7. of the statutes, as created  
9 by this act, shall be appointed for terms that expire on July 1, 2006.

10           (3) DEPARTMENT OF COMMERCE POSITION DECREASE. The authorized FTE positions  
11 for the department of commerce are decreased by 1.6 SEG positions, funded from the  
12 appropriation under section 20.143 (3) (sa) of the statutes, as affected by this act, for  
13 the performance of duties primarily related to the administration of subchapter V of  
14 chapter 101 of the statutes.

15           (4) DEPARTMENT OF COMMERCE POSITION INCREASE. The authorized FTE positions  
16 for the department of commerce are increased by 1.6 PR positions, funded from the  
17 appropriation under section 20.143 (3) (j) of the statutes, as affected by this act, for  
18 the performance of duties primarily related to the administration of subchapter V of  
19 chapter 101 of the statutes.

20           (5) APPROPRIATION TRANSFER. Immediately before the effective date of this  
21 subsection, the unencumbered balance in the account for the appropriation to the  
22 department of commerce under section 20.143 (3) (sa) of the statutes, as affected by  
23 this act, is transferred to the appropriation account under section 20.143 (3) (j) of the  
24 statutes, as affected by this act.

25           **SECTION 216. Initial applicability.**

**BILL****SECTION 216**

1 (1) UNFAIR COMPETITION. The treatment of sections 100.20 (2) (b) and (7),  
2 101.938, and 165.25 (4) (av) of the statutes first applies to unfair methods of  
3 competition or unfair trade practices employed on the effective date of this  
4 subsection. *PS: PS change comp*

5 **SECTION 217. Effective dates.** *4(1)* This act takes effect on the first day of the 18th  
6 month beginning after publication or December 1, 2005, whichever occurs first,  
7 except as follows:

8 (1) PROPOSED RULES. SECTION 215 (1) of this act takes effect on the day after  
9 publication. *keep*

10 (END)



**2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3270/P1ins.  
RNK:.....

**INSERT 21-20**

\*\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Did you intend to include this provision in this version of the draft? ✓

**INSERT 22-10**

\*\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Did you intend to include this provision in this version of the draft?

**INSERT 23-21**

\*\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Do you want to strike the language in the last sentence of this provision as was done in that earlier version of the draft?

**INSERT 26-5**

\*\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Do you want to add the language in the last sentence of this provision as was done in that earlier version of the draft?

**INSERT 26-21**

**SECTION 1.** 66.1019 (2) of the statutes is amended to read:

66.1019 (2) ~~MANUFACTURED BUILDING~~ MODULAR HOME CODE. Ordinances enacted by any county, city, village or town relating to the on-site inspection of the installation of ~~manufactured buildings~~ modular homes shall conform to subch. III of ch. 101.

**History:** 1999 a. 150 ss. 266, 358 to 360; Stats. 1999 s. 66.1019.

**INSERT 37-19**

**SECTION 2.** 77.995 (2) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

77.995 (2) There is imposed a fee at the rate of <sup>5 percent</sup> 5% of the gross receipts on the rental, but not for rerental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of recreational vehicles, as defined in s. 340.01 (48r); of

motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of ~~5%~~ <sup>5 percent</sup> of the gross receipts on the rental of limousines.

NOTE: NOTE: Sub. (2) is shown as amended eff. 10-1-05 by 2005 Wis. Act 25. Prior to 10-1-05 it reads:NOTE:

(2) There is imposed a fee at the rate of 3%, or 5% for the rental of limousines, of the gross receipts on the rental, but not for rental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a).

History: 1997 a. 27, 237; 1999 a. 80, 83, 186; 2001 a. 105; 2005 a. 25.

INSERT 47-10

SECTION 3. 100.21 (1) (a) of the statutes is amended to read:

100.21 (1) (a) "Dwelling unit" means a dwelling, as defined under s. 101.61, a ~~manufactured building~~ modular home, as defined under s. 101.71 (6), a manufactured home, as defined under s. 101.91 (2), or a multifamily dwelling, as defined under s. 101.971 (2).

History: 1979 c. 221; 1983 a. 27 s. 2200 (25); 1991 a. 269; 1995 a. 27; 1999 a. 53.

SECTION 4. Subchapter III (title) of chapter 101 [precedes <sup>101.70</sup> ] of the statutes is amended to read:

CHAPTER 101

SUBCHAPTER III

MANUFACTURED BUILDING HOUSING CODE

SECTION 5. 101.70 of the statutes is amended to read:

**101.70 Purpose.** The purpose of this subchapter is to establish statewide standards and inspection procedures for the manufacture and installation of manufactured ~~buildings for dwellings~~ and modular homes and to promote interstate uniformity in standards for manufactured ~~buildings~~ and modular homes by

authorizing the department to enter into reciprocal agreements with other states ~~which~~ that have equivalent standards.

History: 1975 c. 405.

**SECTION 6.** 101.71 (4) of the statutes is amended to read:

101.71 (4) "Installation" means the assembly of a ~~manufactured building~~ modular home on-site and the process of affixing a ~~manufactured building~~ modular home to land, a foundation, footing or an existing building.

History: 1975 c. 405; 1979 c. 89; 1983 a. 27, 189; 1989 a. 109; 1999 a. 53.

**SECTION 7.** 101.71 (6) (a) (intro.) of the statutes is amended to read:

101.71 (6) (a) (intro.) "~~Manufactured building~~ Modular home" means any structure or component thereof which is intended for use as a dwelling and:

History: 1975 c. 405; 1979 c. 89; 1983 a. 27, 189; 1989 a. 109; 1999 a. 53.

**SECTION 8.** 101.71 (6) (b) of the statutes is amended to read:

101.71 (6) (b) "~~Manufactured building~~ Modular home" does not mean any manufactured home under s. 101.91 or any building of open construction which is not subject to par. (a) 2.

History: 1975 c. 405; 1979 c. 89; 1983 a. 27, 189; 1989 a. 109; 1999 a. 53.

**SECTION 9.** 101.715 of the statutes is amended to read:

**101.715 Application.** This subchapter applies to a dwelling the initial construction of which was commenced on or after December 1, 1978, except that s. 101.745 applies to a ~~manufactured building~~ modular home the initial manufacture of which was commenced on or after May 23, 1978.

History: 1989 a. 109.

**SECTION 10.** 101.72 of the statutes is amended to read:

**101.72 Dwelling code council.** The dwelling code council shall review the standards and rules for ~~manufactured buildings~~ modular homes for dwellings and recommend a statewide ~~manufactured building~~ modular home code for adoption by the department which shall include rules providing for the conservation of energy in

the construction and maintenance of dwellings. Such rules shall take into account the costs to home buyers of specific code provisions in relation to the benefits derived therefrom. Upon its own initiative or at the request of the department, the council shall consider and make recommendations to the department pertaining to rules and any other matters related to this subchapter.

History: 1975 c. 405.

**SECTION 11.** 101.73 (1) of the statutes is amended to read:

101.73 (1) Adopt rules which establish standards for the use of building materials, methods and equipment in the manufacture and installation of ~~manufactured buildings~~ modular homes for use as dwellings or dwelling units. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning and other systems. Such rules shall take into account the conservation of energy in construction and maintenance of dwellings and the costs to home buyers of specific code provisions in relation to the benefits derived therefrom.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 12.** 101.73 (1m) of the statutes is amended to read:

101.73 (1m) Adopt a rule which requires any ~~manufactured building~~ modular home which uses electricity for space heating to be superinsulated.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 13.** 101.73 (2) of the statutes is amended to read:

101.73 (2) Adopt rules for the examination of plans and specifications and for periodic in-plant and on-site inspections of manufacturing facilities, processes, fabrication, assembly and installation of ~~manufactured buildings~~ modular homes to ensure that examinations and inspections are made in compliance with the rules adopted for construction, electrical wiring, heating, ventilating, air conditioning and

other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing adopted by the department under ch. 145.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 14.** 101.73 (3) of the statutes is amended to read:

101.73 (3) Provide for examination of plans and specifications and in-plant inspections when contracted for by the manufacturer under s. 101.75 (1) and shall contract to provide on-site inspection services for the installation of ~~manufactured buildings~~ modular homes for dwellings, at municipal expense, for any municipality which requires such service under s. 101.76 or 101.761.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 15.** 101.73 (5) of the statutes is amended to read:

101.73 (5) Adopt rules for the certification, including provisions for suspension and revocation thereof, of on-site inspectors of the installation of ~~manufactured buildings~~ modular homes for dwellings. Persons certified as on-site inspectors may be employees of the department, a city, village, town or county or an independent agency.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 16.** 101.73 (6) of the statutes is amended to read:

101.73 (6) Adopt rules for the certification, including provisions for suspension and revocation thereof, of independent inspection agencies to conduct in-plant inspections of manufacturing facilities, processes, fabrication and assembly of ~~manufactured buildings~~ modular homes for dwellings and to certify compliance with this subchapter.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 17.** 101.73 (7) of the statutes is amended to read:

101.73 (7) Issue or recognize an insignia of compliance for dwellings which conform to the ~~manufactured building~~ modular home code.

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 18.** 101.73 (11) of the statutes is amended to read:

101.73 (11) Hear petitions regarding the ~~manufactured building~~ modular home code, rules and special orders in accordance with s. 101.02 (6) (e) to (i) and (8).

History: 1975 c. 405; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1987 a. 343; 1993 a. 414.

**SECTION 19.** 101.74 (4) of the statutes is amended to read:

101.74 (4) Provide for or engage in the testing, approval and certification of materials, devices and methods for the manufacture or installation of ~~manufactured buildings~~ modular homes.

History: 1975 c. 405.

**SECTION 20.** 101.74 (6) of the statutes is amended to read:

101.74 (6) Adopt rules prescribing procedures for approving new building materials, devices and methods for the manufacture or installation of ~~manufactured buildings~~ modular homes for dwellings.

History: 1975 c. 405.

**SECTION 21.** 101.74 (7) of the statutes is amended to read:

101.74 (7) Enter into reciprocal agreements with other states regarding the design, construction, inspection and labeling of ~~manufactured buildings~~ modular homes where the laws or rules of other states meet the intent of the manufactured building code and the rules promulgated under this subchapter.

History: 1975 c. 405.

**SECTION 22.** 101.745 (4) of the statutes is amended to read:

101.745 (4) REQUIREMENT. The manufacturer of a ~~manufactured building~~ modular home shall install a functional smoke detector on each floor level except the attic or storage area of each dwelling unit.

History: 1977 c. 388; 1983 a. 189 s. 329 (4); 1987 a. 376; 1989 a. 109.

**SECTION 23.** 101.75 (1) of the statutes is amended to read:

101.75 (1) INSPECTIONS AND COMPLIANCE. Manufacturers of ~~manufactured buildings~~ modular homes shall contract with a certified independent inspection

agency or the department to conduct in-plant inspections and certify compliance with this subchapter. Manufacturers shall reimburse the independent inspection agency in accordance with the terms of the contract or reimburse the department in accordance with fees established under s. 101.73 (12). All inspections shall be performed by persons certified by the department.

History: 1975 c. 405.

**SECTION 24.** 101.75 (2) of the statutes is amended to read:

101.75 (2) DISPLAY OF INSIGNIA REQUIRED. All ~~manufactured buildings~~ modular homes manufactured, sold for initial use or installed within this state shall display, in a manner determined by the department, the insignia issued or recognized under ss. 101.73 (7) and 101.74 (7). All ~~manufactured buildings~~ modular homes bearing such insignia shall be deemed to comply with the requirements of all building ordinances and regulations of any local government except those related to zoning and siting requisites including but not limited to building setback, side and rear yard requirements and property line requirements.

History: 1975 c. 405.

**SECTION 25.** 101.75 (3) of the statutes is amended to read:

101.75 (3) DEPARTMENT APPROVAL OF ALTERATIONS. No person shall alter an approved ~~manufactured building~~ modular home in any way prior to or during installation without the approval of the department.

History: 1975 c. 405.

**SECTION 26.** 101.76 (1) (a) of the statutes is amended to read:

101.76 (1) (a) With the approval of the department, exercise jurisdiction over the installation of ~~manufactured buildings~~ modular homes for dwellings by passage of ordinances, provided such ordinances are in strict conformance with this subchapter and the on-site inspection is performed by persons certified by the

department. Except as provided by s. 101.761, a county ordinance shall apply in any city, village or town which has not enacted such ordinance.

History: 1975 c. 405; 1981 c. 20; 1999 a. 150 s. 672.

**SECTION 27.** 101.761 (3) of the statutes is amended to read:

101.761 (3) The department or a county may not enforce this subchapter or an ordinance adopted under s. 101.76 (1) (a) or provide inspection services in a municipality unless requested to do so by a person with respect to a particular ~~manufactured building~~ modular home or by the municipality. A request by a person or a municipality with respect to a particular ~~manufactured building~~ modular home does not give the department or a county authority with respect to any other ~~manufactured building~~ modular home. Costs shall be collected under s. 101.76 (1) (c) or ss. 101.73 (12) and 101.76 (2) from the person or municipality making the request.

History: 1981 c. 20, 314; 1989 a. 31; 1997 a. 35.

**SECTION 28.** 101.761 (5) of the statutes is amended to read:

101.761 (5) This section does not affect the applicability of or ordinances adopted under this subchapter to manufacturers, builders and owners of ~~manufactured buildings~~ modular homes located in a municipality.

History: 1981 c. 20, 314; 1989 a. 31; 1997 a. 35.

**INSERT 47-17**

\*\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Did you intend to include this provision in this version of the draft?

**INSERT 54-10**

**SECTION 29.** 101.971 (2) of the statutes is amended to read:

101.971 (2) "Multifamily dwelling" means an apartment building, rowhouse, town house, condominium or ~~manufactured building~~ modular home, as defined in s. 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of 3



or more attached dwelling units the initial construction of which is begun on or after January 1, 1993. "Multifamily dwelling" does not include a facility licensed under ch. 50.

History: 1991 a. 269.

**INSERT 56-5**

**SECTION 30.** 138.056 (3) (a) of the statutes is amended to read:

*as affected by 2003 Wisconsin Act 257;*

138.056 (3) (a) A variable rate loan involving a ~~mobile~~ manufactured home transaction or using an approved index may be prepaid at any time in whole or in part without penalty. Other variable rate loans may be prepaid in whole or part without penalty within 30 days after notice of an increase in the interest rate and, except as provided in s. 428.207, with the prepayment penalty under s. 138.052 (2) (a) 2. and 3. if prepayment is made before or after the 30-day period. This paragraph controls if there is a conflict with s. 138.052 (2) (a).

History: 1981 c. 45; 1983 a. 232; 1985 a. 325; 1991 a. 221; 1993 a. 88, 112; 1995 a. 27, 336; 1999 a. 9, 53; 2003 a. 33, 257.

**INSERT 56-15**

\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Did you intend to include this provision in this version of the draft?

**INSERT 56-19**

\*\*\*NOTE: This provision was included in 2003 LRB-2046/3 on which this draft is based. Did you intend to include this provision in this version of the draft?

**INSERT 62-10**

**SECTION 31.** 348.06 (1) of the statutes, as affected by 2005 Wisconsin Act 11, is amended to read:

348.06 (1) Except as provided in subs. (2) and (2m), no person, without a permit therefor, may operate on a highway any motor vehicle, mobile home, recreational vehicle, trailer, or semitrailer having an overall height in excess of 13 1/2 feet.

History: 1999 a. 85; 2005 a. 11.

✓  
**SECTION 32.** 348.07 (2) (c) of the statutes is amended to read:

348.07 (2) (c) Forty five feet for ~~mobile homes~~ recreational vehicles, motor homes, and motor buses.

**History:** 1975 c. 279; 1977 c. 29 ss. 1487g to 1487m, 1654 (9) (b); 1977 c. 418; 1979 c. 255; 1981 c. 159, 176; 1983 a. 20, 78, 192; 1985 a. 165, 187; 1987 a. 30; 1991 a. 39, 72; 1995 a. 193; 1997 a. 27; 1999 a. 85, 186; 2003 a. 213, 234.

**INSERT 64-8**

✓  
**SECTION 33.** 348.27 (7m) of the statutes is amended to read:

348.27 (7m) The department may issue an annual or consecutive month permit for the movement of a 3-vehicle combination consisting of a towing vehicle and, in order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational vehicle or camping trailer, and a trailer for a ~~personal~~ recreational vehicle, if the overall length of the combination of vehicles does not exceed 60 feet and the towed vehicles are for the use of the operator of the towing vehicle. A permit under this subsection may be issued only by the department, regardless of the highways to be used. The department may designate the routes that may be used by the permittee. The fee for an annual permit under this subsection is \$40. The fee for a consecutive month permit under this subsection shall be determined in the manner provided in s. 348.25 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be used in the computation. No 3-vehicle combination may operate under this paragraph if highway or weather conditions include heavy snow, freezing rain, icy roads, high winds, limited visibility, or upon a highway that is closed or partially closed by the department due to highway conditions.

**History:** 1973 c. 157, 316; 1973 c. 333 s. 190m; 1973 c. 336; 1975 c. 25, 285; 1977 c. 29 ss. 1488m, 1654 (8) (a); 1977 c. 30 s. 5; 1977 c. 191, 197, 272, 273, 418; 1979 c. 34, 315, 326; 1981 c. 20, 69, 163, 215, 391; 1983 a. 78 ss. 32 to 35, 37; 1983 a. 529; 1985 a. 29 s. 3202 (3); 1985 a. 202, 212; 1987 a. 27; 1989 a. 31, 35, 130, 305; 1991 a. 258; 1993 a. 62, 439; 1995 a. 113, 163, 227, 347, 348; 1997 a. 27, 35, 237; 1999 a. 85; 2001 a. 16; 2003 a. 210, 241.